THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.4047 of 2000

DATED: 26-04-2007

Between:-

Muddaraboina Srinivasa Rao

.. Petitioner

and

The Chairman, Board of Trustees, Sri Durga Malleswara Swamy Temple, Vijayawada-1, Krishna District and others.

.. Respondents

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.4047 of 2000

ORDER:

This writ petition is filed seeking a mandamus declaring the proceedings of the 4th respondent, dated 06.01.2000, in L.Dis.No.A1/58881/99, and the consequential notification issued by the 2nd respondent, dated 26.02.2000, in Rc.No.C1/978/2000, as illegal and arbitrary; and consequently to direct the 1st respondent to consider the representation of the petitioner, dated 18.11.1999, seeking renewal of the license for collecting coconuts in Sri Durga Malleswara Swamy Temple, Vijayawada.

As the lease existing in favour of the petitioner was rejected by the 4th respondent and an auction notice, dated 26.02.2000, was issued by the 2nd respondent proposing to conduct auction in respect of lease hold rights of coconuts at Sri Durga Malleswara Swamy Temple, Vijayawada, the petitioner approached this Court and filed the present writ petition.

This Court, while issuing Rule nisi, passed an interim order, dated 14.03.2000, in W.P.M.P.No.5358 of 2000, refusing to stay the auction, but however observed that the said auction is subject to the outcome of the writ petition.

Having regard to the fact that the auction was held and the same

was finalized, this Court is of the view that the relief sought for in this writ petition cannot be granted at this length of time and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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GOPALA KRISHNA TAMADA, J

26th April, 2007
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